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3
4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 * * *

7 OMARI NAEEM BEY,

8 Plaintiff(s),

9 v.

10 STATE OF NEVADA, et al.,

11 Defendant(s).

Case No. 2:19-CV-221 JCM (VCF)

ORDER

12
13 Presently before the court is Magistrate Judge Ferenbach's report and recommendation
14 ("R&R"). (ECF No. 50).

15 Judge Ferenbach indicates that, at a hearing on December 18, 2019, plaintiff's counsel,
16 Mitchell Bisson, stated that all claims against defendants that have made an appearance in this
17 matter have been dismissed. the court held a hearing on the motion to withdraw as attorney of
18 record for Omari Naeem Bey. (ECF No. 49). Only defendant Franco remains in this case, but he
19 has never been served and has not appeared in this action. (ECF No. 19). Thus, Judge
20 Ferenbach recommends that this case be dismissed, and the case be closed. (ECF No. 50).

21 This court "may accept, reject, or modify, in whole or in part, the findings or
22 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects
23 to a magistrate judge's report and recommendation, then the court is required to "make a de novo
24 determination of those portions of the [report and recommendation] to which objection is made."
25 28 U.S.C. § 636(b)(1).

26 Where a party fails to object, however, the court is not required to conduct "any review at
27 all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149
28 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a

1 magistrate judge's report and recommendation where no objections have been filed. *See United*
2 *States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review
3 employed by the district court when reviewing a report and recommendation to which no
4 objections were made).

5 Nevertheless, this court conducted a *de novo* review to determine whether to adopt the
6 recommendation of the magistrate judge. Upon reviewing the recommendation and attendant
7 circumstances, this court finds good cause appears to adopt the magistrate judge's findings in
8 full.

9 Accordingly,

10 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Judge Ferenbach's R&R
11 (ECF No. 50) be, and the same hereby is, ADOPTED.

12 IT IS FURTHER ORDERED that plaintiff's complaint is hereby DISMISSED.

13 The clerk is instructed to enter judgment and close the case accordingly.

14 DATED January 2, 2020.

15 
UNITED STATES DISTRICT JUDGE